REMARKS

The Office Action of April 29, 2009 has been reviewed and the Examiner's comments have been carefully considered. The present Amendment modifies claim 1 in accordance with the originally filed specification. No new matter has been added. Support for these amendments can be found, for example, in Figs. 2, 9, 10, 11, 12, 13, and 14. Claims 2-13 have been cancelled. Accordingly, independent claim 1 is pending in the application.

The Examiner has objected to the Abstract as containing unacceptable wording and exceeding 150 words in length. The Abstract has been amended in accordance with the Examiner's objection.

Claims 1-13 stand rejected under 35 U.S.C. §101 for non-statutory subject matter. The Examiner has stated that claim 1 recites a system and subsystems; however, there is no structure to support the system and subsystems. While the Examiner did recognize that a system was included in the preamble of independent claim 1, the Examiner states that there is no structure present to support the results of the system.

Independent claim 1 has been modified through the foregoing Amendment to include the structure of "a computer processor having instructions stored thereon, which when executed by a processor of the computer, cause the processor to" implement the various subsystems. Therefore, and in accordance with the Examiner's specific recommendations, that claim has been amended to appropriately define statutory subject matter under Section 101.

Accordingly, Applicants submit that the invention set forth in amended claim 1 is directed to statutory subject matter under 35 U.S.C. §101. In particular, the claimed method includes the necessary computer architecture and could not be performed by a mental process alone, and the claimed processes are tied to another statutory class, i.e., a computer, and further transform the underlying subject matter to a different state or thing, i.e., an identified resource (claim 1). As done previously, and in the interest of furthering prosecution, claim 1 has been amended to recite specific computer architecture, thereby providing additional clarity on this matter. Therefore, the Examiner's Section 101 rejections have been overcome, and for these reasons, withdrawal of the rejection of claim 1, as amended, under 35 U.S.C. §101 is respectfully requested.

Claims 2-13 are rejected under 35 U.S.C. §112 as being indefinite. Claims 2-13 have been cancelled. In addition, the means plus function limitation has been amended in claim 1 to include a computer processor having instructions stored thereon, which when executed by a processor of the computer, cause the processor to take an action. This language is supported by the figures and the specification, showing a skill management system and the procedures that are operable on a computer. With specific reference to paragraph [0050], the specification refers to "processing components" which by their nature are programming instructions running on a computer processor. Again, in the Description of the Drawings, with reference to Fig. 1, the Skill Management System is described as a system having components, the components being the procedures described in the specification with relation to Figs. 2, 9, 10, 11, 12, 13, and 14 among others. Therefore, the Examiner's Section 112 rejections have been overcome, and for these reasons, withdrawal of the rejections is respectfully requested.

Claims 1-13 stand rejected under 35 U.S.C. §102(b) for anticipation by United Stated Patent No. 7,191,176 to McCall et al. (hereinafter "the McCall patent").

The Prior Art

The McCall patent is directed to a method of reciprocally publishing and matching data files, comprising the steps of facilitating the creation of a Category A data file having a first set of characteristics and a Category B data file having a second set of characteristics. The McCall patent further matches characteristics of the Category A data file to characteristics of the Category B data file.

The McCall patent does not anticipate the elements of the present invention

In independent claim 1 of the present invention, the system for skill management provides a procedure for automatic overall skill assessment. More specifically, the system identifies a knowledge worker based on a plurality of rules, a plurality of qualification impact functions, and a plurality of experience impact functions. The McCall patent does not disclose or suggest automatic overall skill assessment.

The present invention also achieves partial matching at an attribute level, e.g., a skill attribute, using a related hierarchy, e.g., a skill hierarchy. In particular, the extent of match has several degrees or levels. In the system there is an exact match if a required skill

of a project requirement and a required period of requirement of a skill based on a project requirement matches exactly with an available skill of a knowledge worker and an available period of the knowledge worker. The extent of match can be a semi-exact match if a required skill or a required period match only approximately. For example, when the required skill and available skill match but the resource is only available a portion of the required period. The McCall patent does not disclose or suggest partial matching at the attribute level.

The present invention also includes multi-step iterative optimization to achieve near optimal assignment of resources. More specifically, the present invention forms a skill matrix. The skill matrix made of a pre-defined number of variations of each of the non-overlapping skills and is based on multiplicity factors, with each element of the skill matrix being associated with a variation of a non-overlapping skill and a particular non-overlapping skill and is a value between 0 and 1 with values close to 1 indicating closeness of said variation of said non-overlapping skill to said particular non-overlapping skill with respect to said skill hierarchy. The McCall patent does not disclose or suggest multi-step iterative optimization.

The key contributions of the present invention are hierarchy based skill/resource matching and near-optimal allocation of resources. While McCall does describe using past experience, qualification, and training related to a resume, it does not disclose or suggest using this information for an automatic overall skill assessment. Similarly, while the McCall patent does describe partial matching using fuzzy logic, Applicants contend that achieving partial matching at an attribute level, e.g., a skill attribute, using a related hierarchy, e.g. a skill hierarchy, is not disclosed or suggested in the McCall patent. In addition, the usage of Fuzzy logic in McCall does not convey hierarchy based matching. Also, Applicants believe that the proposed multi-step iterative optimization to achieve near optimal assignment of resources is not taught or suggested by the McCall patent. Therefore, the McCall patent fails to anticipate independent claim 1of the present invention.

CONCLUSION

In view of the foregoing, claim 1 is patentable over the prior art of record. Reconsideration of the rejection and allowance of claim 1 is respectfully requested.

Respectfully submitted,

THE WEBB LAW FIRM

By _____

William H. Logsdon
Registration No. 22,132
Attorney for Applicants
436 Seventh Avenue
700 Koppers Building
Pittsburgh, PA 15219
Telephone: (412) 471-8815
Facsimile: (412) 471-4094
E-mail: webblaw@webblaw.com